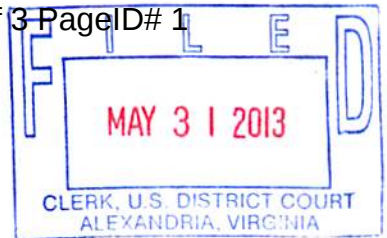


Prob 12  
(Mod. For E.VA 10/09)

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF VIRGINIA

U.S.A. vs. Ian GaleDocket No. 3894563

Petition on Probation

1:13mj 326

COMES NOW Elissa F. Martins, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Ian Gale, who was placed on supervision by the Honorable T. Rawles Jones, Jr. sitting in the Court at Alexandria, Virginia, on the 15<sup>th</sup> day of January, 2013, who fixed the period of supervision at one (1) year, and imposed the general terms and conditions heretofore adopted by the Court and also imposed special conditions and terms as follows:

-See Page 2-

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

See Attachment(s)

PRAYING THAT THE COURT WILL ORDER a summons to be issued directing that the offender appear before the Court to show cause why supervision should not be revoked.

Returnable Date: \_\_\_\_\_

ORDER OF COURT

Considered and ordered this 31<sup>st</sup>  
day of May, 2013 and ordered  
filed and made a part of the records  
in the above case.

/s/Thomas Rawles Jones, Jr.

T. Rawles Jones, Jr.  
U.S. Magistrate Judge

I declare under penalty of perjury  
that the foregoing is true and  
correct.

Executed on 5/30/13

Elissa F. Martins  
Elissa F. Martins  
U.S. Probation Officer  
(703) 299-2309

Place Alexandria, Virginia

TO CLERK'S OFFICE

**Petition on Probation**

**Page 2**

**RE: Gale, Ian**

**OFFENSE:** Driving While Intoxicated

**SENTENCE:** The defendant was placed on supervised probation for a period of one (1) year, with the following special conditions: 1) The defendant shall enter and successfully complete an alcohol education program as directed; 2) The defendant shall not operate a motor vehicle anywhere in the United States for a period of one (1) year except: a) to, from and as directly required by the defendant's employment, b) to and from the probation office, c) to and from the alcohol program, d) to and from this court, e) to and from scheduled classes, to and from medical appointments, and g) to and from Pennsylvania one time only that must be approved in advance by the probation officer; 3) The defendant shall not violate any local, state or federal traffic law; and 4) The defendant shall pay the \$100 fine, \$10 special assessment fee, and \$25 processing fee within 90 days.

On February 5, 2013, this officer submitted a Violation Report to the Court requesting no action be taken at that time. The violation outlined that Mr. Gale submitted a positive urine screen for the use of marijuana on January 29, 2013. When the undersigned met with Mr. Gale on January 29, 2013, he reported the last time he used marijuana was in the summer of 2012. He later admitted to using marijuana on or about January 13, 2013.

Your Honor approved the request for no action on February 11, 2013.

**ADJUSTMENT TO SUPERVISION:** Mr. Gale's adjustment to supervision has been marginal. He paid the court ordered fine and fees on March 11, 2013. The defendant has chosen not to obtain a restricted operator's license and drives a moped instead. This officer referred Mr. Gale to the Fairfax County Alcohol Safety Action Program (ASAP). ASAP referred the defendant for additional treatment due to his substance abuse history. To date, he has not begun treatment. Mr. Gale has expressed to this officer that probation and treatment are not a priority to him.

**VIOLATIONS:** The following violations are submitted for the Court's consideration.

**CONDITION 2: FAILURE TO REPORT TO THE PROBATION OFFICER AS DIRECTED.**

On May 9, 2013, Mr. Gale failed to report on time for a scheduled office appointment. When this officer contacted the defendant, he related he did not wake up on time and reported into the office an hour late. On May 15, 2013, Mr. Gale failed to report for a scheduled office appointment. On May 17, 2013, Mr. Gale again reported in late for a scheduled office appointment.

**Petition on Probation**

**Page 3**

**RE: Gale, Ian**

**SPECIAL CONDITION:                   FAILURE TO SATISFACTORILY PARTICIPATE IN AN  
ALCOHOL/SUBSTANCE ABUSE TREATMENT PROGRAM.**

Mr. Gale failed to satisfactorily participate in the Fairfax County Alcohol Safety Action Program (ASAP). Mr. Gale was scheduled to begin ASAP classes on March 16, 2013. He failed to report for treatment on that date. After repeated instructions by this officer, Mr. Gale re-enrolled in treatment and was scheduled to begin ASAP classes on May 14, 2013. He again failed to attend treatment on the scheduled start date. Furthermore, Mr. Gale was referred for additional substance abuse treatment due to a history of illegal drug use, and he has failed to set up secondary treatment.

EFM/smk